IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

Crl.Rev.Pet.No. 814 of 2007

CRA.377/2005 of ADDL. DISTRICT AND SESSIONS COURT
ADHOC FAST TRACK-III, PATHANAMTHITTA
CC.79/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT, ADOOR

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REVN. PETITIONER:

SUKUMARAN, S/O.SANKARAN,
JAYA NIVAS (PLANTHOTTATHIL),
MANGARAM MURI, PANDALAM VILLAGE.

BY ADV. SRI.B.S.SWATHY KUMAR
SRI.BINDU SREEKUMAR
SRI.K.G.RENGANATH

RESPONDENTS: APPELLANT/ACCUSED

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1. P.N. VIJAYAKUMAR, YAMUNA GARDENS,
KONNAMANKARA MURI, ADOOR VILLAGE.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.814 of 2007

Dated this the 23rd day of February, 2007

ORDER

Revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of three months and to pay a sum of Rs.85,000/- as compensation to the complainant under Section 357(3) of Code of Criminal Procedure and in default thereof, to undergo simple imprisonment for two months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to make the payment. In the circumstances, sentence is modified to imprisonment till the rising of the court. The rest of the sentence is retained and confirmed. Revision petitioner is granted six months' time to pay the amount of compensation. He shall appear before the Court of Judicial Magistrate of First Class, Adoor on 24.8.2007 to receive the sentence. Non bailable warrant, if any, pending shall be kept in abeyance till 24.8.2007.

The Criminal Revision Petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl